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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY, DOCKET NO.
10/594.461	Sonia Escaich	BJS-1721-126

23117 NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203

INTERNATIONAL APPLICATION NO.										
PCT/EP2005/003972										
LA. FILING DATE	PRIORITY DATE									
03/29/2005	03/26/2004									

CONFIRMATION NO. 9313 371 FORMALITIES LETTER



Date Mailed: 04/28/2008

## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Priority Document
- Copy of the International Application filed on 09/26/2006
- Copy of the International Search Report filed on 09/26/2006
- Copy of IPE Report filed on 09/26/2006
- Preliminary Amendments filed on 09/26/2006
- Information Disclosure Statements filed on 09/26/2006
- Biochemical Sequence Diskette filed on 12/09/2007
- Oath or Declaration filed on 01/03/2007
- Biochemical Sequence Listing filed on 12/09/2007
- Request for Immediate Examination filed on 09/26/2006
- U.S. Basic National Fees filed on 09/26/2006
- Priority Documents filed on 09/26/2006
- Specification filed on 09/26/2006
- Claims filed on 09/26/2006
- Abstracts filed on 09/26/2006
- Drawings filed on 09/26/2006
- Paper nucleotide sequence listings filed on 09/26/2006

Applicant's response filed 12/09/2007 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 10/29/2007 have not been completed.

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1,821(e), 1,821(f), 1,825(d), or 1,825(d), Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final nulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the
  computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on
  the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer
  readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence
  listing information recorded in computer readable form is identical to the written (on paper or compact disc)

sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Refer to attachment or PAIR document dated 03-26-08.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1,136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages, If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 /
- 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web. https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at http://www.uspto.gov/ebc.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

CHARITTA A SHELTON	
Telephone: (703) 308-9140 EXT 207	

\_\_\_\_\_

Sequence Listing could not be accepted due to errors.

See attached Validation Report.

If you need help call the Patent Electronic Business Center at (866) 217-9197 (toll free).

Reviewer: Anne Corrigan

Timestamp: [year=2008; month=2; day=5; hr=15; min=52; sec=47; ms=712; ]

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\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

Reviewer Comments:

<120> COMPRISING OF POLYPEPTIDES SPECIFIC TO PATHOGENIC STRAINS AND THEIR

USE AS VACCINES AND IN IMMUNOTHERAPY

The first line of the above <120> response exceeds the Sequence Rules' required 72-character limit (this includes white spaces). Please insert a hard return after "PATHOGENIC."

(from Sequence 5)

Ser Lys Thr Val Thr Pro Gly Leu His Tyr Ala Ala Asp Gly Phe Arg

770 775 780

Please remove the blank line between the above amino acids and their respective numbers. This error also appears in Sequences 8, 34, 43, 50, 62, 139, and 159.

(also from Sequence 5)

Ser Gly Lys Gln Phe Ser Trp Lys Asp Gln Gly Met Asn Leu Thr 1175 1180 1185

Met Lys Asp Lys Asp Phe Asn Pro Leu Ile Gly Arg Thr Gly Val

Please remove the series of blank lines above, that appear between the

amino acid numbers and the succeeding amino acid line. Only one line should separate them.

(from Sequence 160)
gatattaata aaaatctgcg tcttaatgtc ggcgtcagta atatcctcaa taaacagatc 2100

ttccgatctt ctgaaggggc gaatacctat aacgagccag gccgggctta ttatgccgga 2160

gttaccgcat cattc 2175

130

Please remove the above series of blank lines between the last two nucleotide lines. Only one line should separate them. Also, please remove the "130" above, which appears at the end of the submitted file.

\*\*\*\*\*\*\*\*\*\*\*\*\*\*

## Validated By CRFValidator v 1.0.3

Application No: 10594461 Version No: 1.0

Input Set:

Output Set:

Started: 2007-12-09 13:44:02.663
Finished: 2007-12-09 13:44:11.804

Elapsed: 0 hr(s) 0 min(s) 9 sec(s) 141 ms

Total Warnings: 0
Total Errors: 19
No. of SeqIDs Defined: 160
Actual SeqID Count: 160

Err	or code	Error Description
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E	355	Empty lines found between the amino acid numbering and the
E	321	No. of Bases conflict, this line has no nucleotides SEQID (5)
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E	321	No. of Bases conflict, this line has no nucleotides SEQID (8)
Ε	355	Empty lines found between the amino acid numbering and the
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Ε	321	No. of Bases conflict, this line has no nucleotides SEQID (43)
Ε	355	Empty lines found between the amino acid numbering and the
E	321	No. of Bases conflict, this line has no nucleotides SEQID (50)
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Е	321	No. of Bases conflict, this line has no nucleotides SEQID (160)

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USE AS VACCINES AND IN IMMUNOTHERAPY
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Val Leu Gln Arg Thr Cys Asn Val Pro Gly Asn Val Asp Val Ser Leu
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                    40
                                        45
Gly Asn Leu Tyr Val Ser Asp Phe Pro Asn Ala Gly Ser Gly Ser Pro
    50
                   55
Trp Val Asn Phe Asp Leu Ser Leu Thr Gly Cys Gln Asn Met Asn Thr
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                                75
                                                   80
Val Arg Ala Thr Phe Ser Gly Thr Ala Asp Gly Gln Thr Tyr Tyr Ala
            85 90 95
Asn Thr Gly Asn Ala Gly Gly Ile Lys Ile Glu Ile Gln Asp Arg Asp
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Gln Asn Asn Asn Ala Thr Phe Asn Leu Lys Ala Arg Ala Val Ser Lys

Gly Ser Asn Ala Ser Tyr His Asn Gly Met Phe Lys Thr Leu Asn Val 115 120 125

100 105

130 135 140

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Thr Tyr Ala

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<212> PRT

<213> Escherichia coli

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Pro Ala Ile Ala Asn Ala Gln Thr Ser Gln Gln Asp Glu Ser Thr Leu  $20 \hspace{1.5cm} 25 \hspace{1.5cm} 30$ 

Val Val Thr Ala Ser Lys Gln Ser Ser Arg Ser Ala Ser Ala Asn Asn  $35 \hspace{1.5cm} 40 \hspace{1.5cm} 45$ 

Val Ser Ser Thr Val Val Ser Ala Pro Glu Leu Ser Asp Ala Gly Val

Thr Ala Ser Asp Lys Leu Pro Arg Val Leu Pro Gly Leu Asn Ile Glu 65 70 75 80

Asn Ser Gly Asn Met Leu Phe Ser Thr Ile Ser Leu Arg Gly Val Ser \$85\$ \$90\$ \$95\$

Ser Ala Gln Asp Phe Tyr Asn Pro Ala Val Thr Leu Tyr Val Asp Gly  $100 \hspace{1.5cm} 105 \hspace{1.5cm} 110$ 

Val Pro Gln Leu Ser Thr Asn Thr Ile Gln Ala Leu Thr Asp Val Gln 115 120 125

Ser Val Glu Leu Leu Arg Gly Pro Gln Gly Thr Leu Tyr Gly Lys Ser 130 135 140

Ala Gln Gly Gly Ile Ile Asn Ile Val Thr Gln Gln Pro Asp Ser Thr 145 150 155 160

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Ala	Thr	Phe	Tyr 500	Thr	His	Thr	Lys	Asp 505	Met	Gln	Leu	туг	Ser 510	Gly	Pro
Val	Gly	Met 515	Gln	Thr	Leu	Ser	Asn 520	Ala	Gly	Lys	Ala	Asp 525	Ala	Thr	Gly
Val	Glu 530	Leu	Glu	Ala	Lys	Trp 535	Arg	Phe	Ala	Pro	Gly 540	Trp	Ser	Trp	Asp
Ile 545	Asn	Gly	Asn	Val	11e 550	Arg	Ser	Glu	Phe	Thr 555	Asn	Asp	Ser	Glu	Leu 560
Tyr	His	Gly	Asn	Arg 565	Val	Pro	Phe	Val	Pro 570	Arg	Tyr	Gly	Ala	Gly 575	Ser
Ser	Val	Asn	G1y 580	Val	Ile	Asp	Thr	Arg 585	Tyr	Gly	Ala	Leu	Met 590	Pro	Arg
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610 615 620

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Tyr Trp Arg Asp Asp Leu Lys Asn Glu Val Ser Val Asn Thr Leu Met \$115\$ \$120\$ \$125\$

Lys Ala Asp Ser Lys Tyr Asn Val Asp Lys Asp Ser Trp Ser Gly Gly

110

105

100

Leu	Asn 130	Ala	Tyr	туг	Asp	Phe 135	Arg	Asn	Asp	Ser	Ala 140	Phe	Thr	Pro	Trp
Val 145	Ser	Ala	Gly	Ile	Gly 150	туг	Ala	Arg	Ile	His 155	Gln	Lys	Thr	Thr	Gly 160
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Ser	Arg	Ser	Gly 180		Ala	Asp		Phe 185		Trp	Ser	Leu	Gly 190	Ala	Gly
Val	Arg	Tyr 195	Asp	Val	Thr	Pro	Asp 200	Ile	Ala	Leu	Asp	Leu 205	Ser	Tyr	Arg
Tyr	Leu 210		Ala	Gly		Ser 215		Val	Ser		Lys 220	Asp	Glu	Trp	Gly
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Val	Leu	Pro 35	Arg	Thr	Сув	Thr	Ile 40	Gly	Asn	Gly	Gly	Asn 45	Pro	Aon	Ala
Thr	Val 50	Val	Leu	Asp	Asn	Ala 55	Tyr	Thr	Ser	Asp	Leu 60	Ile	Ala	Ala	Asn
	mb		C1-		*		nh -		T	mh	*	mb			a1-

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Pro Asp Phe Ser Gly Ala Ala Ala Ser Gly Ala Ala Thr Ala Ile Gly \$100\$

Gly	Ser	Tyr 115	Ser	Val	Thr	Val	Ala 120	His	Asn	Lys	Lys	Asn 125	Pro	Gln	Ala
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Arg 145	Asn	Ser	Asn	Asp	Phe 150	Glu	Ile	Gln	Arg	Leu 155	Asn	Lys	Phe	Val	Val 160
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Asp	Ala	Leu	Glu 180	Arg	Tyr	Gly	Ile	Val 185	Thr	Ser	Asp	Gly	Ser 190	Lys	Lys
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Trp	Ile 290	Thr	Lys	Tyr	Asn	Asp 295	Lys	Leu	Val	Ser	Glu 300	Leu	Lys	Asp	Thr
Tyr 305	Ser	His	Lys	Ile	Asn 310	Leu	Asn	Gly	Asn	Asn 315	Val	Thr	Ile	Lys	Asn 320
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Glu	Lys	Ile	Thr 340	Lys	Asp	Lys	Asp	11e 345	Val	Phe	Thr	Asn	G1y 350	Gly	Asp
Val	Leu	Phe 355	Lys	Asp	Asn	Leu	Asp 360	Phe	Gly	Ser	Gly	Gly 365	Ile	Ile	Phe
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Gly 385	Ala	Gly	Ile	Asp	11e 390	Gly	Lys	Glu	Ser	Ile 395	Val	Asn	Trp	Asn	Ala 400
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Gln Tyr Ala Gly Ile Phe Phe Thr Lys Arg Gly Gly Thr Leu Asp Leu 465 470 475 480

Asn Gly His Asn Gln Thr Phe Thr Arg Ile Ala Ala Thr Asp Asp Gly \$485\$

Thr Thr Ile Thr Asn Ser Asp Thr Thr Lys Glu Ala Val Leu Ala Ile \$500\$

Asn Asn Glu Asp Ser Tyr Ile Tyr His Gly Asn Ile Asn Gly Asn Ile 515 \$520\$

Lyo Leu Thr His Asn Ile Asn Ser Gln Asp Lyo Lyo Thr Asn Ala Lyo  $530 \\ \phantom{1000}535 \\ \phantom{1000}540$ 

Leu Ile Leu Asp Gly Ser Val Asn Thr Lys Asn Asp Val Glu Val Ser 545 550 555 560

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Ala Asp Phe Ser Ile Ser Arg Asn Ala Asn Val Glu Gly Asn Ile Ser \$655\$

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Asn Leu Ala Gly Lys Asn Ile Thr Asn Asn Gly Phe Asp Phe Lys Gln 675 680 685

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Thr Leu Asn Gly Ala Thr Phe Leu Asp Asn Thr Pro Ile Ser Ile Asp 725 730 735

Lys Gly Ala Lys Val Ile Ala Gln Asn Ser Met Phe Thr Thr Lys Gly